REMARKS

Reconsideration and withdrawal of the rejections set forth in the Office Action dated October 28, 2008, is respectfully requested in view of this amendment. By this amendment, claims 1 and 3 have been amended. Claims 1-4 are pending in this application.

Reconsideration and withdrawal of the rejections set forth in the Office Action are respectfully requested in view of this amendment. By this Amendment claims 1 and 3 have been amended. Claims 2 and 4 were previously presented. Accordingly, claims 1-4 are currently pending in the application and are presented for reconsideration and reexamination in view of the following remarks.

Claims 1 and 3 have been amended to recite the control apparatus as integrally controlling the plurality of target apparatuses. The recording subunit selection means has been described as accepting a selection of two or more recording subunits and data recorded simultaneously on the two or more recording subunits. The data transmission route has been described through which data of image and audio is to be transmitted. Simultaneous recording is described as selected through a recording option. Support is found, *inter alia*, in Published Application US 2004/0141719, at Paragraphs [0030], [0048] and [0051]. It is respectfully submitted that the above amendments introduce no new matter within the meaning of 35 U.S.C. §132.

In the outstanding Office Action, the Examiner rejected claims 1-4 under 35 U.S.C. §103(a) as unpatentable over U.S. Patent No. 5,877,906 to Nagasawa et al. (hereinafter *Nagasawa*) in view of U.S. Patent No. 6,311,011 B1 to Kuroda (hereinafter *Kuroda*) and U.S. Pre-grant Publication No. 2001/0018727 to Ando et al. (hereinafter *Ando*). These rejections, as applied to the revised claims, are respectfully traversed.

Rejections Under 35 U.S.C. §103

The Examiner rejected claims 1-4 2 under 35 U.S.C. 103(a) over *Nagasawa* in view of *Kuroda* and *Ando*.

Response

This rejection is traversed as follows. To establish a *prima facie* case of obviousness, the Examiner must establish: (1) some suggestion or motivation to modify the references exists; (2) a reasonable expectation of success; and (3) the prior art references teach or suggest all of the claim limitations. *Amgen, Inc. v. Chugai Pharm. Co.*, 18 USPQ2d 1016, 1023 (Fed. Cir. 1991); *In re Fine,* 5 USPQ2d 1596, 1598 (Fed. Cir. 1988); *In re Wilson*, 165 USPQ 494, 496 (CCPA 1970).

A *prima facie* case of obviousness must also include a showing of the reasons why it would be obvious to modify the references to produce the present invention. *See Dystar Textilfarben GMBH v, C. H. Patrick*, 464 F.3d 1356 (Fed. Cir. 2006). The Examiner bears the initial burden to provide some convincing line of reasoning as to why the artisan would have found the claimed invention to have been obvious in light of the teachings. *Id.* at 1366.

In response to this rejection, Applicant respectfully submits that amended independent claims 1 and 3 recite patentable features over *Nagasawa*, *Kuroda* and *Ando*.

Applicant's claims recite:

> "... a control apparatus ... integrally [controlling a] plurality of target apparatuses, said recording method comprising ... simultaneously establishing a data transmission route, through which data of image and audio is to be transmitted, between the control apparatus and each of all the selected two or more recording subunits by using an interface conforming to IEEE 1394 when the simultaneous recording is selected by said recording option selection step, and sequentially establishing a first data transmission route, through which data of image and audio is to be transmitted ... between the control apparatus and another selected recording subunit each time a recording by the one selected recording subunit approaches its end so that the second data transmission route is established before the first data transmission route is disconnected when the continuous recording is selected by said recording option selection step." (Claim 1; claim 3 similar.)

The presently claimed subject matter provides for the use of a control apparatus and a recording method that reduce the workload on a user and increases the efficiency of operation when simultaneous recording or continuous recording from a controller apparatus to recording

units in target apparatuses, which are external apparatuses independent from the controller apparatus, is set up. (See page 8 lines 12-18 or Paragraph [0043], and Fig. 8.)

In order to achieve the above object, according to an exemplary embodiment of the presently claimed subject matter, the controller apparatus STH I integrally controls target apparatuses (a D.VHS deck 8 and a complex unit 5) including recording subunits (a tape subunit 31, a disk subunit 51 and tape subunit 52) and connected to the controller apparatus STB 1 via an IEEE 1394 serial bus 7. The controller apparatus STB 1 comprises a GUI management module 15, a middleware general controller 19 and an IEEE 1394 driver 21. The GUI management module 15 displays a GUI screen 40. On the GUI screen 40, a connected-apparatus list 41 and a recording option 43 are displayed. The connected-apparatus list 41 is the list of recording subunits installed in the target apparatuses. The GUI management module 15 accepts a selection of two or more recording subunits, on which data of image and audio is to be recorded, from the list of recording subunits displayed on the GUI screen 40. The recording option 43 includes a simultaneous recording button 43a and a continuous recording button 43b. The GUI management module 15 accepts a selection of simultaneous recording or a continuous recording selected through the GUI screen 40.

When the continuous recording is selected, the middleware general controller 19 instructs the IEEE 1394 driver 21 to establish a first transmission route, through which data of image and audio is to be transmitted, between the controller apparatus STS 1 and one selected recording subunit by using an interface conforming to IEEE 1394. Then, the middleware general controller 19 instructs the IEEE 1394 driver 21 to establish a second transmission route, through which data of image and audio is to be transmitted, between the controller apparatus STB 1 and another selected recording subunit each time a recording by the one selected recording subunit approaches its end so that the second transmission route is established before the first transmission route is disconnected. This operation allows the one recording subunit to be switched automatically to another recording subunit, thus making it possible to record data continuously. (See page 6 lines 17-31 or Paragraphs [0029]- [0031], page 7 line 2 - page 8 line 3 or Paragraphs [0033] - [0040], page 10 line 33 - page 11 line 7 or Paragraph [0054],

page 11 line 30 or Paragraph [0058], page 14 line 15 or Paragraph [0071], page 14 line 32 - page 15 line 2 or Paragraph [0073] and Figs. 3, 4A, 7, 8.)

Therefore, the control apparatus and the recording method can reduce the load of a user at recording time and increase the efficiency of operation. (See page 15 lines 3-10 or Paragraph [0074].)

Nagasawa describes a video camera-recording apparatus for recording video pictures into at least one of recording devices that accommodate recording media and are incorporated in the video camera-recording apparatus, in real time. (See col. 1, lines 11-16.)

Nagasawa fails to teach or suggest a system controller as set forth in Applicant's independent claims 1 and 3. Specifically, Applicant's claimed features include:

- a system controller 21 that integrally controls the plurality of target apparatuses connected to the system controller 21 via an IEEE 1394 serial bus,

- the system controller sequentially establishing a first data transmission route, through which a video signal is to be transmitted, between the recording signal processing unit 4 and one selected recording tape transport 22 (or 29),

- the system controller establishing the transmission route by using an interface conforming to IEEE 1394 and establish a second data transmission route through which a video signal is to be transmitted between the recording signal processing unit 4 and another selected recording tape transport 29 (or 22),

- the establishing of the transmission route each time a recording by the one selected recording tape transport 22 (or 29) approaches its end.

Therefore, when the continuous recording is selected, *Nagasawa* fails to suggest establishing the second data transmission route so that the second data transmission route is established before the first data transmission route is disconnected.

In contrast, *Nagasawa* merely describes that the video camera-recording apparatus includes a video camera unit 1, a recording signal processing unit 4, a system controller 21 and two tape transports 22 and 29. The video camera unit 1 is connected to the recording signal processing unit 4 and feeds a video signal to the recording signal processing unit 4. The

recording signal processing unit 4 is connected to the tape transports 22 and 29 and produces a recording signal by effecting various recording signal processing on the video signal. The recording signal processing unit 4 supplies the recording signal to the tape transports 22 and 29. The system controller 21 is connected to the video camera unit 1, the recording signal processing unit 4 and the tape transports 22 and 29. The system controller 21 supplies a video signal Vp including display information to the video camera unit 1. The system controller 21 supplies a recording control signal P1 to the tape transport 22 and a recording control signal P2 to the tape transport 29. The system controller 21 supplies added information PS, such as a time code generated from a time code generator, to the recording signal processing unit 4. Under this configuration, in recording operation, the recording control is different. Specifically, when the remaining amount of the video tape done tape transport 22 (or 29) is the set value or less, the system controller 21 establishes a transmission route between the recording signal processing unit 4 and another tape transport 29 (or 22) and then supplies only the recording control signal (automatic recording start control signal) P2 (or P1) to the another tape transport 29 (or 22) to set the another tape transport 29 (or 22) in a recording operation state before a transmission route between the recording signal processing unit 4 and the one tape transport 22 (or 29) is disconnected. (See col. 3 line 41- col.4 line 11, col. 5 lines 25-37, col. 11 lines 58.57, col. 13 lines 4752, col. 15 lines 48.53 and Figs. 2, 10-12.)

Thus, (1) the transmission route through which the video signal is to be transmitted differs from that through which the automatic recording start control signal is to be transmitted, and (2) the system controller 21 carries out the switching control of only transmission route through which the automatic recording start control signal is to be transmitted. Therefore, in *Nagasawa*, the switching control of transmission route, through which the recording signal is to be transmitted, is carried out by not the system controller 21 but instead the tape transports 22 and 29. Here, it is noted that the Examiner alleges that the system controller 21 corresponds to the transmission route establishment means of the claimed invention in the Office Action.

Further, in *Nagasawa*, (1) an external apparatus can not easily be added to the video camera-recording apparatus and (2) the video camera-recording apparatus can not carry out the

simultaneous recording and the continuous recording with respect to the added external apparatus, because the video camera recording apparatus has no interface conforming IEEE 1394 and no function for integrally controls external apparatuses.

Although, as the Examiner indicates, *Ando* describes using IEEE 1394 interface in a recording device, *Ando* merely describes that information recording and reproducing device performs information transfer with a plurality of devices simultaneously. (See paragraphs [0969] and [0986].) Therefore, *Ando* does not cure any of the above noted deficiency of *Nagasawa.* In addition, *Kuroda* fails to cure any of the above noted deficiencies of *Nagasawa.*

Accordingly, claims 1 and 3 are allowable over the references under 35 U.S.C. §103(a). Claims 2 and 4 depend from claims 1 and 3, respectably and are allowable for at least this reason.

It is therefore respectively submitted that the rejection under 35 U.S.C. 103(a) should be withdrawn and the case be passed to issuance.

Examiner's Response to Applicant's Prior Arguments

The Examiner's acknowledgement of Applicant's arguments with respect to the cited art is noted. It is respectfully pointed out that the cited references fail to teach or suggest Applicant's combination. Specifically, Applicant's claims now set forth (1) a control apparatus integrally controls the plurality of target apparatuses, and (2) a first data transmission route through which data of image and audio is to be transmitted, in which the transmission route is established between the control apparatus and one selected recording subunit by using the interface conforming to IEEE 1394. Additionally, Applicant's claims describe these features in combination with a second data transmission route, through which data of image and audio is to be transmitted, and describes the data transmission route established between the control apparatus and another selected recording subunit each time a recording by the one selected recording subunit approaches its end so that the second data transmission route is established before the first data transmission route is disconnected when the continuous recording is selected, as recited in amended claims 1 and 3.

It is respectfully submitted that the transfer of data through the data transmission routes as set forth in the claims in combination with the establishment of the second data transmission route before the first data transmission route is disconnected is neither shown nor suggested by any combination of *Nagasawa*, *Kuroda* and *Ando*.

CONCLUSION

In light of the foregoing, Applicant submits that the application is in condition for allowance. If the Examiner believes the application is not in condition for allowance, Applicant respectfully requests that the Examiner call the undersigned.

Respectfully submitted,
THE NATH LAW GROUP

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THE NATH LAW GROUP
112 South West Street
Alexandria, VA 22314-2891
Tel: 703-548-6284
Fax: 703-683-8396

Jerald L. Meyer
Registration No. 41,194
Derek Richmond
Registration No. 45,771
Stanley N. Protigal
Registration No. 28,657
Customer No. 20529